IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE FOURTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE Mr. JUSTICE C.V.RAMULU

WRIT PETITION No.18801 of 1999

Between:

T.Nagamani W/o.Peddi Reddy,
D.N o.5-174, 5th Ward, Kanigiri Mandal,
Prakasam District.

..... PETITIONER

AND

1 The Correspondent,
ABM High School, Kanigiri,
Prakasam District.
2 The District Educational Officer,
Ongole, Prakasam District.

....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, of Certiorari calling for all connected records including the proceedings in RC.No.238/B5/9, dt.7.4.1999 of 2nd Respondent and quash the same as illegal, improper, unjust, arbitrary and contrary to law and further direct the respondent to absorb the petitioner in the aided post with effect from the date of her initial appointment with all consequential benefits including monetary, seniority etc.

Counsel for the Petitioner: Mr. K.G.KRISHNA MURTHY

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court made the following :

ORAL ORDER:

This Writ Petition is filed seeking a Certiorari to quash the Proceedings dated 7-4-1999 of the 2nd respondent and consequently to direct the respondents to absorb the petitioner in the aided post with effect from the date of her initial appointment with all consequential benefits including seniority.

The only grievance of the petitioner is that her services were terminated on the ground that she produced a fake Teachers' Training Certificate from the State of Karnataka at the time of her appointment. According to the petitioner, in fact, she attended the Training course, but, at the end of the course, there was some trouble in the private educational institutions and, therefore, she could not appear for the examinations.

It is the case of the petitioner that under similar circumstances when the services of some Teachers, who obtained fake Secondary Grade Teachers Training Certificates from the State of Karnataka, were sought to be dispensed with, the Government after considering the entire issue issued G.O.Ms.No.180, Education (Ser.III) Department, dated 30-12-2004 during the pendency of this Writ Petition. At paragraph-3 of the said G.O., it is stated as under:

> "**3.** Government after careful examination of the matter and with a sympathetic view taking into consideration the long period they have served on court's direction hereby accord permission to (197) (One Hundred Ninety Seven) Teachers (As annexed to this order) who are continuing in service on court direction and working on Karnataka Secondary Grade Teachers Certificates in various Districts of A.P. by giving them 3 (three years) time to acquire the training qualification in one of the DIETs of A.P. Govt. They are eligible for regular scales and salaries of regular teachers."

From the above, it is clear that 197 persons, who have produced bogus certificates and continuing in service in view of the directions of the Courts and working on Karnataka Secondary Grade Teachers Training certificates in various districts in the State of Andhra Pradesh may be given three years time to acquire the training qualification in any of the Colleges in the Andhra Pradesh and if they undergo the training, they are eligible for regular scales and salaries of regular Secondary Grade Teachers.

It is the case of the petitioner that she has obtained Degree of Bachelor of Education from the Andhra University in the year 1997 and she is entitled to be considered on par with the persons mentioned in G.O.Ms.No.180, dated 30-12-2004.

In view of the above circumstances, without expressing any opinion on merits of the case, the petitioner is permitted to make a fresh representation in this regard within a period of two weeks from the date of receipt of a copy of this order. If such a representation is made within the above stipulated time, the Principal Secretary to Government, Education Department, Government of Andhra Pradesh, Hyderabad shall consider the feasibility of granting the same relief as was granted to the said 197 Teachers under G.O.Ms.No.180, dated 30-12-2004 and pass appropriate orders, within a period of three months from the date of receipt of a copy of this order.

With the above directions, the Writ Petition is disposed of. No order as to costs.

14-6-2005

prk

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ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Principal Secretary to Government, Education Department,

Government of Andhra Pradesh, Hyderabad

2 The Correspondent,
ABM High School, Kanigiri,
Prakasam District.
3 The District Educational Officer,
Ongole, Prakasam District.

4 2 CCs to Government Pleader for School Education, High Court

Buildings, Hyderabad (OUT)

5 2 CD copies